

LICENSING HEARING PACK

**The Rest, Court Farm, Broad Street,
Kings Stanley, Gloucestershire, GL10
3PN**

**Monday 17th June 2024 – 10:00
Council Chamber,
Stroud District Council Offices**

24/00408/LAPRNW

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Section 1 Agenda

LICENSING PANEL

A meeting of the Licensing Panel is being held on **Monday 17th June 2024** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **10:00**

Members of the Panel: Councillor Nigel Prenter, Councillor Gill Oxley and Councillor Paul Turner

A G E N D A

1.	APOLOGIES To receive apologies for absence
2.	DECLARATIONS OF INTEREST To receive declarations of interest
3.	CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE: The Rest, Court Farm, Broad Street, Kings Stanley, Stonehouse, Gloucestershire, GL10 3PN

Section 2 Order of Proceedings

LICENSING HEARINGS – ORDER OF PROCEEDINGS

1. Introductions	
2. Hearing Report a. The Licensing Officer presents the Hearing Report	
3. Responsible Authorities a. Responsible Authorities address the Panel about their representations b. Questions to the Responsible Authorities	
4. Other Persons (this may be local residents, businesses or Parish/Town Councils) a. Other Persons address the Panel about their representations b. Questions to the Other Persons	
5. Applicant a. The Applicant addresses the Panel about the application b. Questions to the Applicant	
6. Summing Up a. Responsible Authorities sum up b. Other Persons sum up c. Applicants sum up.	
7. Panel Retire The Panel will retire to a private meeting to consider the application and make their decision.	
8. Decision A summary of the decision will be notified to all attendees by email as soon as possible but no later than 5 working days.	
9. Decision Notice A Decision Notice containing the full decision, any conditions imposed and the reasons, will be forwarded to applicant and all those persons that have made representation within 5 working days.	

Section 3 – Licensing Officer’s Report

PREMISES NAME: The Rest

PREMISES ADDRESS: Court Farm, Broad Street, Kings Stanley, Gloucestershire, GL10 3PN

APPLICANT: Adam Knight

APPLICATION TYPE: New Application for a Premises Licence

APPLICATION REF: 24/00408/LAPRNW

1 BACKGROUND:

- 1.1 The Rest is a café that serves coffee, breakfast, light meals and cakes. It includes an outdoor seating area and car park. It is located in part of a converted barn on the edge of the village of Kings Stanley. In October 2023 both gable ends of the barn were enclosed with new double-glazed doors
- 1.2 There has been a premises licence in place for this building before, when a previous operator was running a café at this site called Boho Bakery. However, that licence was surrendered in 2023 and that operator moved to other premises.
- 1.3 The applicant for a new premises licence is the landowner of Court Farm who has decided to re-open and operate the café himself and has renamed it The Rest.
- 1.4 Three temporary event notices have been submitted this year (2024) for events at The Rest including a music event and sale of alcohol at a dog show.

2 APPLICATION

- 2.1 This is a new application for a premises licence to permit sale of alcohol, for consumption both on and off the premises.
- 2.2 The times requested are:

Sale of Alcohol	Daily	10:00 to 23:00
Opening Hours	Daily	08:30 to 23:00

- 2.3 The application plan shows a red line around the cafe building. This means that if granted, sales of alcohol are permitted within the building only.

- 2.4 The application includes both on and off sales of alcohol. On sales means that alcohol, bought within the licensed premises boundary, ie in the building, can be consumed within the premises boundary. Off sales means that customers can buy alcohol within the premises boundary and then take it off the premises to consume ie they can buy alcohol inside the building and take it outside and drink it in the outside seating area.
- 2.4 The applicant has stated that he will have CCTV installed in the premises and will operate a challenge 25 policy when making sales of alcohol.
- 2.5 Section 4 of the Hearing Pack is the Application Form
- 2.6 Section 5 of the Hearing Pack is the Application Plan which shows the area to be licensed.
- 2.7 Section 6 is a location plan.

3 REPRESENTATIONS:

Responsible Authorities

- 3.1 There have been no representations from the responsible authorities.

Other Parties

- 3.2 The Authority has received seven representations against the application from local residents. All the residents live in Borough Close. The main relevant concern is that, because they already can hear the voices of customers at the Rest, in particular from customers seated outside, they believe that if sale of alcohol is granted the people noise will get louder and more cause nuisance and disturbance.
- 3.3 The authority has received one representation in support of the application who believes that granting the application will enable the café to thrive which would benefit the community and provide job opportunities.

4 THE HEARING:

- 4.1 The Hearing Panel should seek to focus on concerns and comments raised in the representation that is relevant to the licensing objectives and within the scope of the Licensing Act 2003.
- 4.2 The licensing objectives are:
- a) Prevention of crime and disorder
 - b) Prevention of public nuisance
 - c) Public safety
 - d) Protection of children

- 4.3 This application is for sale of alcohol only and the Hearing Panel can only take account of concerns in the representations that relate to sale of alcohol. The Panel cannot take account of activities such as dog shows which in themselves are not a licensable activity.
- 4.4 As this is a new premises application, the panel cannot take account of concerns about potential disturbance from music. This is because there is an exemption that permits all premises that are granted on-sales of alcohol to be able to play live and recorded music at the premises, during the times that on-sales are permitted, provided it is between 08:00 and 23:00. The legislation gives licence holders an automatic right to the to music exemption and music does not need to be included on the licence or in an application.
- 4.5 A Hearing Panel cannot refuse or condition sales of alcohol on the grounds of potential disturbance caused by music under the exemption. Once a licence is granted for sale of alcohol, if there is then evidence to demonstrate that the right to the music exemption is causing public nuisance, residents or responsible authorities can request a review of the licence. This will trigger a review hearing and, if justifiable, a Review Hearing Panel can remove the licence holder's right to the exemption or make a restriction or condition in relation to the exemption.
- 4.5 The Hearing Panel may, with the consent of all parties to the hearing, allow the introduction of additional evidence at the hearing that supports or amplifies the existing representation or the application. However, the introduction of further representations to those disclosed to the applicant prior to the hearing will not be allowed.
- 4.6 Having considered the application and the representation the Hearing Panel may take the following actions:
- Refuse the application for a premises licence
 - Grant the application in the terms applied for
 - Grant the application with conditions or amendments
- 4.7 If the Hearing Panel decides to attach conditions to the Premises Licence, those conditions must be appropriate to promote the Act's objectives and proportionate to the type of premises.

Section 4 Application Form



Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Adam Justin Morghain Knight

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

The Rest, Court Farm, Broad Street, Kings Stanley			
The Rest is a former agricultural building that has undergone complete refurbishment and now operates as a café offering home made food including meat from the farm. Situated on the edge of the village surrounded by fields, but on a bus route, the café has customers both from the village and further afield. However the majority of our customers come from the Stanleys.			
Since October 2023 both the gable ends of the barn have been enclosed with new double glazed doors.			
Off-supplies will be consumed in the gravelled seating areas immediately adjoining the café barn and enclosed by stone walls and wooden fencing.			
Post town	Stonehouse	Postcode	GL10 3PN

[Redacted]		
[Redacted]		

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:
Please tick as appropriate

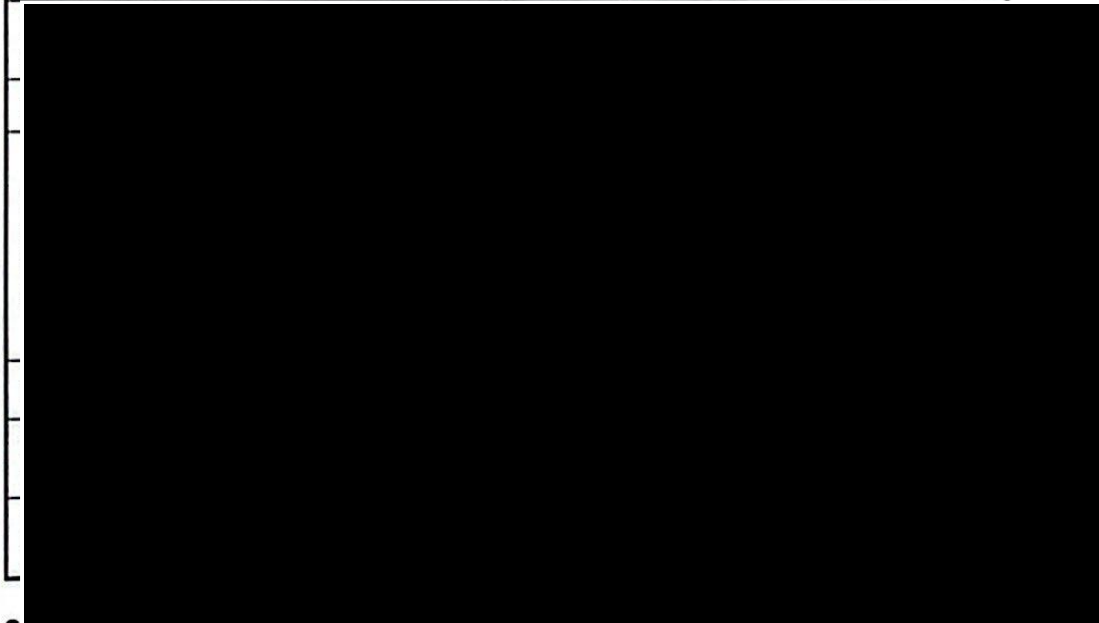
- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Knight			First names Adam Justin Morghain		



SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over	I am 18 years old or			<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
3	1	05 2024

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

The Rest is a former agricultural building that has undergone complete refurbishment and now operates as a café offering home made food including meat from the farm.

Since October 2023 both the gable ends of the barn have been enclosed with new double glazed doors.

Off-supplies will be consumed in the gravelled seating areas immediately adjoining the café barn and enclosed by stone walls and wooden fencing.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

Pages 7 to 15 of the application form are not included in this hearing pack as they relate to licensable activities not applied for in this application

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	10:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name
Adam Justin Morghain Knight



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

The Rest is a family orientated venue and includes a dedicated child friendly area.

L

Hours premises are open to the public	State any seasonal variations (please read guidance note 5)
--	--

Standard days and timings (please read guidance note 7)			May close earlier if demand is not there to justify staying open
Day	Start	Finish	
Mon	8:30	23:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	8:30	23:00	
Wed	8:30	23:00	
Thur	8:30	23:00	
Fri	8:30	23:00	
Sat	8:30	23:00	
Sun	8:30	23:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The Rest is a community orientated café with looks to welcome all people and is intended to be a safe space for everyone.

We aim to actively promote the responsible consumption of alcohol as part of the business of running a café in the village.

It is not intended that the sale of alcohol is to be the main business of The Rest.

But rather it will be ancillary to and complimentary to its role as a café offering both refreshments and food to people from the village and local area, together with walkers on the Cotswold Way.

b) The prevention of crime and disorder

The Rest has CCTV in operation both for security and for the prevention of crime and disorder.

The premises is managed by a shift supervisor in addition to the dedicated premises supervisor.

Both the shift supervisor and the dedicate premises supervisor will be responsible for patrolling both indoor and outside areas to monitor customers behaviour and noise levels.

c) Public safety

The Rest has sufficient external lighting to make it a safe environment for people to enter and leave the premises but not so bright as to cause a nuisance to our neighbours

CCTV covers the internal building and the driveway to and from the café.

d) The prevention of public nuisance

In addition to the person responsible for monitoring customers behaviour we will erect notices reminding customers that we have neighbours and asking them to exercise consideration by arriving and leaving without making undue amounts of noise.

e) The protection of children from harm

The Rest will participate in the Challenge 25 scheme with appropriate signage to that effect being displayed and staff trained to ask for identification where anyone appears to be 25 or under.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ✓
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ✓
- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected. ✓
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Privacy Notice

The Licensing Service will store your personal data and share it with other agencies in accordance with Stroud District Council's privacy policy Please see the Council's website www.stroud.gov.uk/privacynotice . Section 1 to 10 is the Council's general privacy notice and section 15 gives details for the Licensing Service.

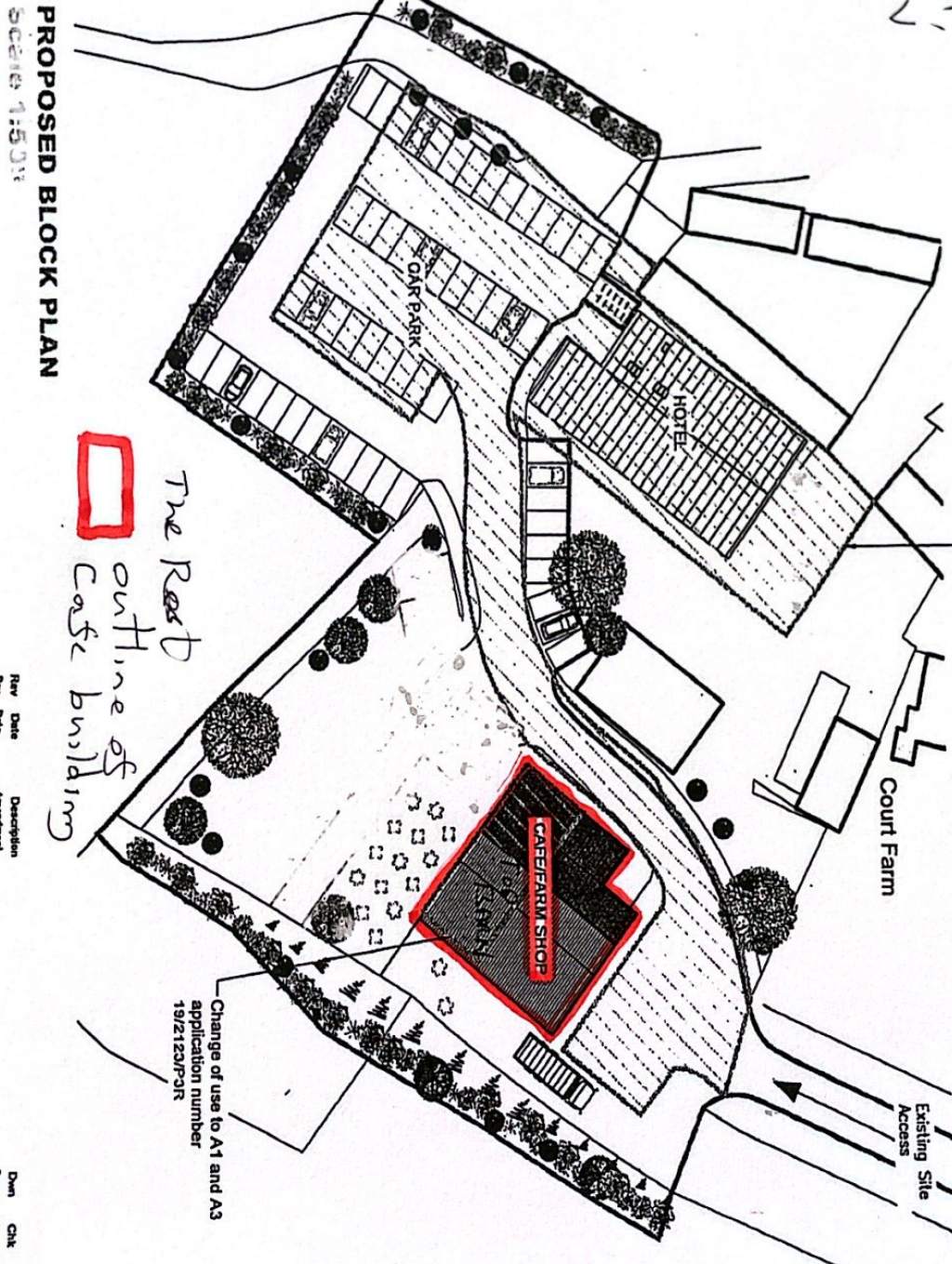
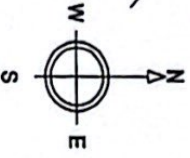
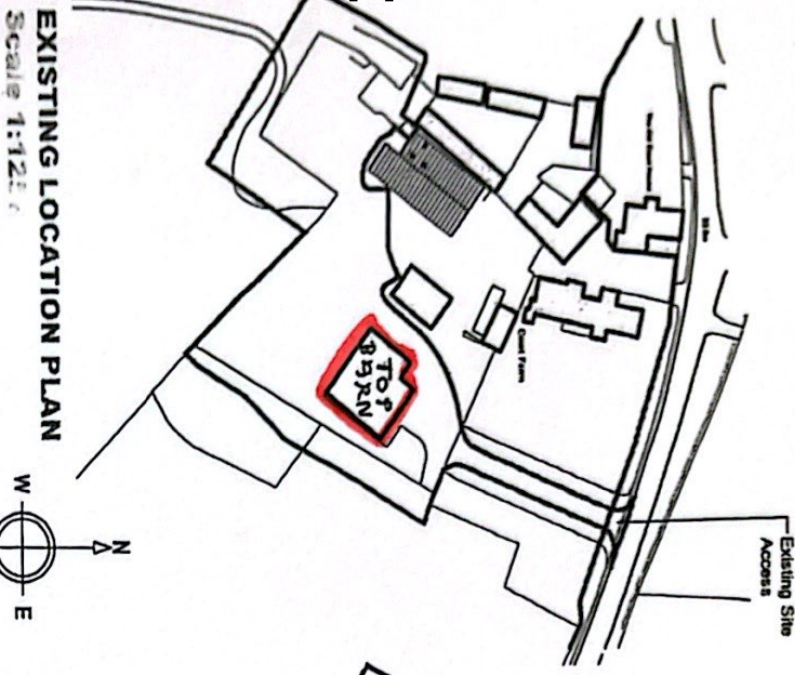
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Section 5 - Application Plans

FLHN 2
 The Rest, Court Farm,
 Kings Stables, GL10 3PN

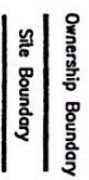
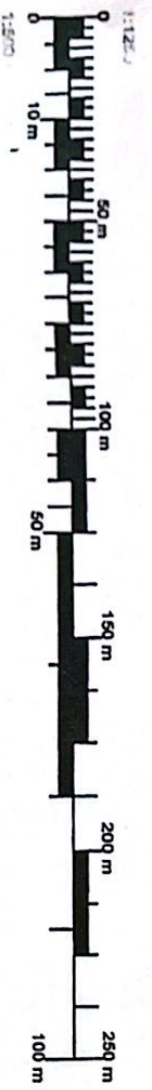


The Rest
 outline of
 care building

Change of use to A1 and A3
 application number
 19/2123/PTR

Area hatched is curtilage of agricultural
 building to B&B accommodation
 application number 19/0595/FUL

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 NOTES
 1. To be read with the accompanying application forms.
 2. The hatched area indicates the curtilage of the agricultural building to B&B accommodation application number 19/0595/FUL.
 3. The hatched area indicates the curtilage of the agricultural building to B&B accommodation application number 19/0595/FUL.



Rev	Date	Description	Drawn	CHK
1	19/10/19	Full Planning Application Site Location & Block Plan	MB	MB
2	19/10/19	Change of use to A1 and A3 application number 19/2123/PTR	MB	MB

Mr A Knight
 Court Farm, Broad Street,
 Kings Stables, GL10 3PN

Full Planning Application
 Site Location & Block Plan

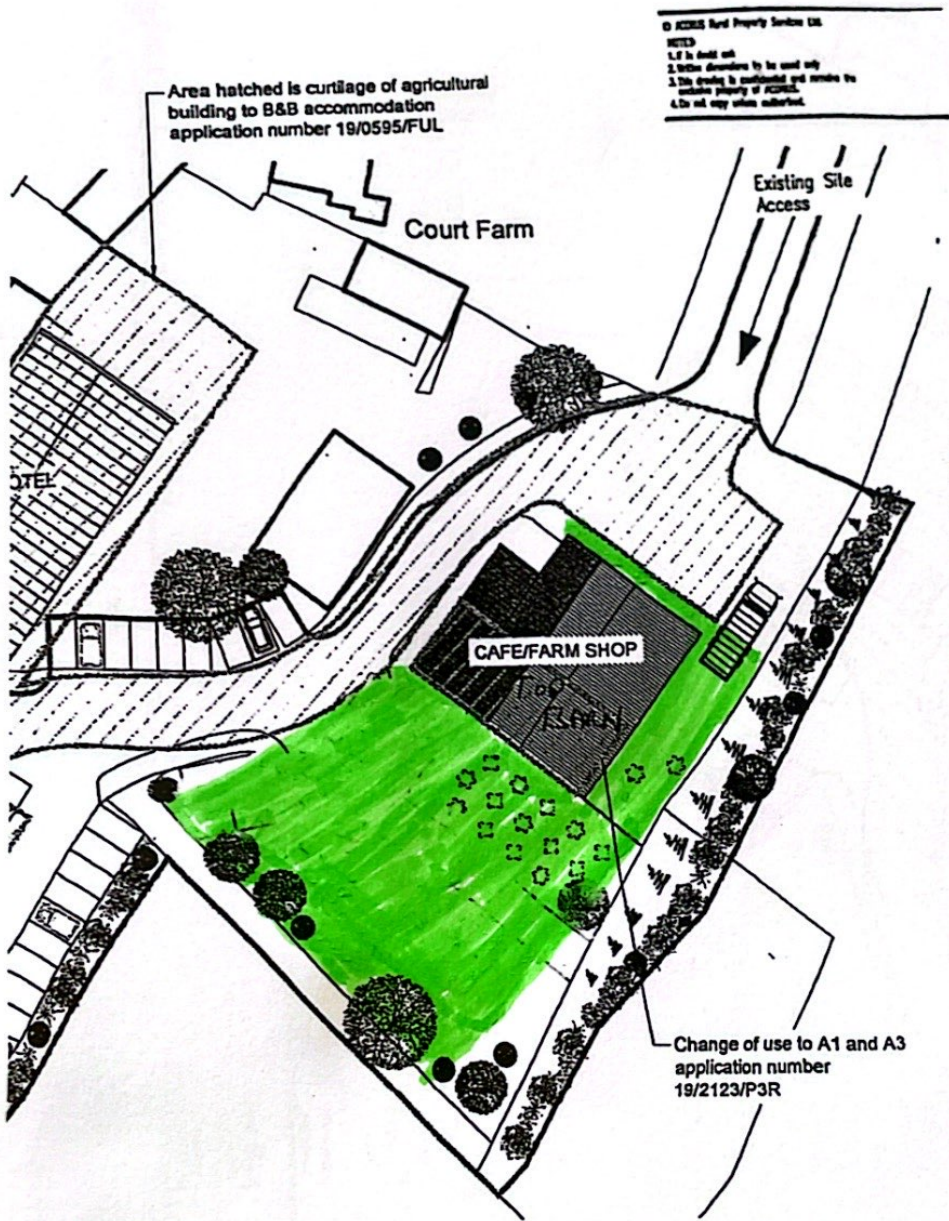
AS SHOWN @ AS Oct '19 DL

MB/1419/1019 200-01

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The Rest, Court Farm,
Broad Street, Kings Stanley,
GL10 3PN



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NOTES
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2. Unless otherwise to be used only
3. This drawing is uncontracted and remains the exclusive property of ACORUS
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PLANNING ISSUE

 = O&S S&N consumption

Rev	Date	Description	Dwn	Chk
Rev.	Date.	Amendment.	Drawn	Checked
Mr A Knight Court Farm, Broad Street, Kings Stanley, GL10 3PN				
Full Planning Application Site Location & Block Plan				
AS SHOWN	03	Oct '19	DL	MB
MB/1419/1019		200-01		

Ownership Boundary
Site Boundary

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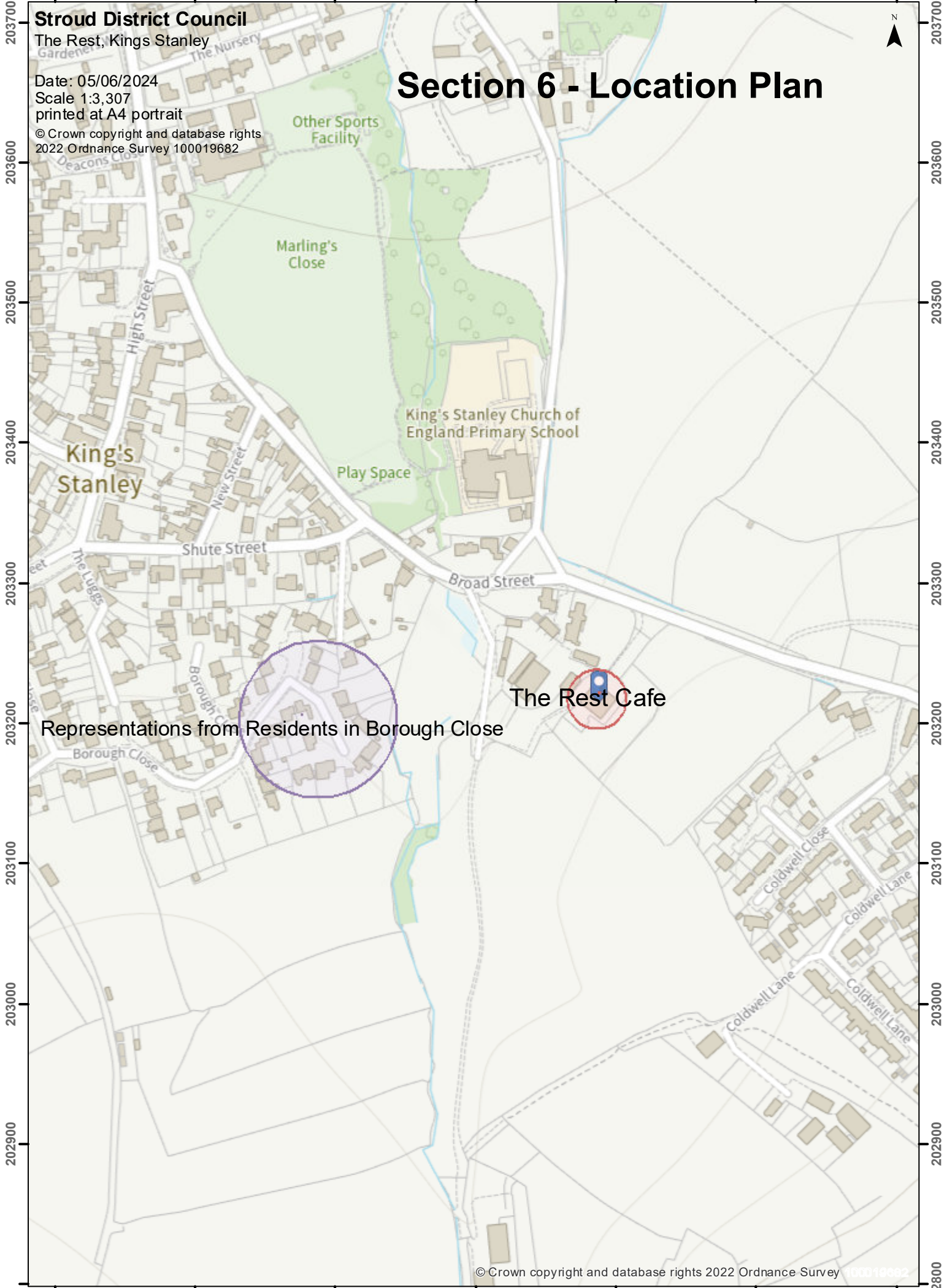
Stroud District Council

The Rest, Kings Stanley

Date: 05/06/2024
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Section 6 - Location Plan



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